

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 15-2594 (DSD/TNL)

Thomas James Fox,

Plaintiff,

v.

ORDER

Thomas Roy, Commissioner,
Penny Malecha, Director,
Harold W. Clarke, Director,
Agent Drew Evans, Special
Agent Gary Swanson, and
Investigator Barry Smith,

Defendants.

Thomas James Fox, #1541090, Wallens Ridge State Prison, P.O.
Box 759, Big Stone, VA 24219, pro se plaintiff.

This matter is before the court upon the letter from pro se plaintiff Thomas James Fox dated September 25, 2015. The court will construe the letter as a request for reconsideration of the court's September 9, 2015, order dismissing Fox's case without prejudice for failure to prosecute. Specifically, the court concluded that dismissal was warranted given Fox's failure to pay the required initial partial filing fee of \$6.45. To date, Fox has still not paid the initial filing fee. Under these circumstances, there is no basis for the court to revisit its earlier determination. The court will allow, however, Fox additional time in which to pay his initial partial filing fee. If Fox submits the required fee within the time allowed, the court will consider the merits of his request for reconsideration.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Fox must pay the initial partial filing fee of \$6.45 on or before November 10, 2015; and

2. The failure to pay the initial partial filing fee on or before November 10, 2015, will result in the denial of Fox's request for reconsideration.

Dated: October 20, 2015

s/David S. Doty
David S. Doty, Judge
United States District Court